

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Menashe SHAHAR et al.  
 Appln. No. 09/987,685  
 Date Filed: November 15, 2001  
 For: DIAGNOSTIC SYSTEM FOR THE EAR



Art Unit: 3737  
 Examiner: SHAW, S.  
 Washington, D.C.  
 Atty.'s Docket: SHAHAR=2  
 Date: April 6, 2004

Confirmation No. 7189

Honorable Commissioner for Patents  
 U.S. Patent and Trademark Office  
 2011 South Clark Place  
 Crystal Plaza Two, Lobby, Room 1B03  
 Arlington, Virginia 22202

Sir:

Transmitted herewith is a [X] AMENDMENT to the above-identified application.

[xx] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted

[ ] Applicant claims small entity status. See 37 C.F.R. §1.27.  
 [ ] No fee is required.  
 [XX] The fee has been calculated as shown below:

|  | (Col. 1)<br>CLAIMS<br>REMAINING<br>AFTER<br>AMENDMENT | (Col. 2)<br>MINUS | (Col. 3)<br>HIGHEST NO.<br>PREVIOUSLY<br>PAID FOR | PRESENT<br>EXTRA<br>EQUALS |
|--|---|-------------------|---|----------------------------|
| <b>TOTAL</b>                                     | *   | ** 20             |   |                            |
| <b>INDEP.</b>                                    | *   | MINUS *** 3       |   |                            |
| <b>FIRST PRESENTATION OF MULTIPLE DEP. CLAIM</b> |   |                   |   |                            |

| SMALL ENTITY         |                   | OTHER THAN SMALL ENTITY |                   |
|----------------------|-------------------|-------------------------|-------------------|
| RATE                 | ADDITIONAL<br>FEE | RATE                    | ADDITIONAL<br>FEE |
| x 9                  | \$                | x 18                    | \$                |
| x 42                 | \$                | x 84                    | \$                |
| + 140                | \$                | + 280                   | \$                |
| ADDITIONAL FEE TOTAL |                   | TOTAL                   |                   |

OR  
OR

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- \*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[ ] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

**Small Entity**

**Response Filed Within**

[ ] First - \$ 55.00  
 [XX] Second - \$ 210.00  
 [ ] Third - \$ 475.00  
 [ ] Fourth - \$ 740.00

**Month After Time Period Set**

[ ] Less fees (\$\_\_\_\_\_) already paid for \_\_\_\_ month(s) extension of time on \_\_\_\_\_.

[XX] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ 210.00.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

**Other Than Small Entity**

**Response Filed Within**

[ ] First - \$ 110.00  
 [ ] Second - \$ 420.00  
 [ ] Third - \$ 950.00  
 [ ] Fourth - \$ 1480.00

**Month After Time Period Set**

BROWDY AND NEIMARK

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3737

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: SHAHAR=2

In re Application of: ) Confirmation No.: 7198  
Menashe SHAHAR )  
Appln. No.: 09/987,685 ) Art Unit: 3737  
Filed: November 15, 2001 )  
For: DIAGNOSTIC SYSTEM FOR ) Examiner: SHAW, S. J.  
THE EAR ) Washington, D.C.  
 )  
 )  
 )  
 )

**AMENDMENT**

Honorable Commissioner for Patents  
2011 South Clark Place  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

In response to the Examiner's Action dated November 6, 2003, kindly amend the above-identified Application as follows:

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 4 of this paper.

**Remarks/Arguments** begin on page 10 of this paper.

An **Appendix** including a replacement abstract is attached following page 12 of this paper.